

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed House Bill 329 be amended to read as follows:

- 1 Page 2, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 3. IC 3-6-6-10, AS AMENDED BY P.L.176-1999,
- 3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2001]: Sec. 10. (a) A county chairman may make nominations
- 5 for precinct election offices by filing the nominations in writing with
- 6 the circuit court clerk no later than noon fourteen (14) days before the
- 7 election.
- 8 (b) This subsection does not apply to the office of precinct
- 9 inspector. **Before January 1, 2004**, a county chairman may specify in
- 10 the nomination of an individual for a precinct election office that the
- 11 individual is nominated to serve until noon on election day and that
- 12 another individual is nominated to serve in the same precinct election
- 13 office beginning at noon on election day until the expiration of the term
- 14 of the office under section 37(b) of this chapter. **After December 31,**
- 15 **2003, a county chairman may specify in the nomination of an**
- 16 **individual for a precinct election office that the individual is**
- 17 **nominated to serve until 12:30 p.m. on election day and that**
- 18 **another individual is nominated to serve in the same precinct**
- 19 **election office beginning at 12:30 p.m. on election day until the**
- 20 **expiration of the term of the office under section 37(b) of this**
- 21 **chapter.**
- 22 SECTION 4. IC 3-6-6-11, AS AMENDED BY P.L.176-1999,
- 23 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2001]: Sec. 11. (a) A county election board shall appoint the

voters who are nominated for precinct election offices by the county chairmen.

(b) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made following a nomination by a county chairman under this chapter. **Before January 1, 2004**, the county election board shall provide that an appointment of an individual to a precinct election office

(+) expires at noon on election day or

(2) begins at noon on election day and expires under section 37(b) of this chapter

if the nomination made by the county chairman specifies that the nomination is made for a term that begins or expires at those times. **After December 31, 2003, the county election board shall provide that an appointment of an individual to a precinct election office expires at 12:30 p.m. on election day or begins at 12:30 p.m. on election day and expires under section 37(b) of this chapter if the nomination made by the county chairman specifies that the nomination is made for a term that begins or expires at those times.**

(c) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made by a county election board under section 13(b) of this chapter. **Before January 1, 2004**, the county election board may appoint an individual to a precinct election office for a term that

(+) expires at noon on election day or

(2) begins at noon on election day and expires under section 37(b) of this chapter. **After December 31, 2003, the county election board may appoint an individual to a precinct election office for a term that expires at 12:30 p.m. on election day or begins at 12:30 p.m. on election day and expires under section 37(b) of this chapter."**

Page 5, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 11. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. **(a) This subsection applies before January 1, 2004.** The polls in each precinct open at 6 a.m. and close at 6 p.m. on election day.

(b) This subsection applies after December 31, 2003. The polls in each precinct open at 6 a.m. and close at 7 p.m. on election day.

SECTION 12. IC 3-11-10-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. On election day each circuit court clerk (or an agent of the clerk) shall visit the appropriate post office to accept delivery of absentee envelopes at the latest possible time that will permit delivery of the ballots to the appropriate precinct election boards before ~~6 p.m.~~ **the polls close."**

Page 5, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 15. IC 3-11-12-26 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. Each county
 2 election board shall be at its office from 5 a.m. until ~~6 p.m.~~ **the polls**
 3 **close** on election day. Upon notice that a voting machine is out of order
 4 or fails to work, the board shall be ready between those hours to deliver
 5 to any precinct in the county:

- 6 (1) necessary ballots;
- 7 (2) election booths with an adequate number of stalls;
- 8 (3) ballot boxes; and
- 9 (4) all necessary supplies and equipment as required by law."

10 Page 6, between lines 34 and 35, begin a new paragraph and insert:
 11 "SECTION 18. IC 3-11-14-19 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. Each county
 13 election board shall be at its office from 5 a.m. until ~~6 p.m.~~ **the polls**
 14 **close** on election day. Upon notice that an electronic voting system is
 15 out of order or fails to work, the board shall be ready between those
 16 hours to deliver to any precinct in the county:

- 17 (1) necessary paper ballots;
- 18 (2) election booths with an adequate number of stalls;
- 19 (3) ballot boxes; and
- 20 (4) all necessary supplies and equipment as required by law.

21 SECTION 19. IC 3-11.5-4-13, AS AMENDED BY P.L.38-1999,
 22 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2001]: Sec. 13. (a) If the absentee ballot counters find under
 24 section 11 of this chapter that:

- 25 (1) the affidavit is insufficient or that the ballot has not been
- 26 endorsed with the initials of:
 - 27 (A) the two (2) members of the absentee voter board in the
 - 28 office of the clerk of the circuit court under IC 3-11-4-19 or
 - 29 IC 3-11-10-26;
 - 30 (B) the two (2) members of the absentee voter board visiting
 - 31 the voter under IC 3-11-10-25; or
 - 32 (C) the two (2) appointed members of the county election
 - 33 board or their designated representatives under IC 3-11-4-19;
- 34 (2) the signatures do not correspond or there is no signature;
- 35 (3) the absentee voter is not a qualified voter in the precinct;
- 36 (4) the absentee voter has voted in person at the election;
- 37 (5) the absentee voter has not registered;
- 38 (6) the ballot is open, or has been opened and resealed;
- 39 (7) the ballot envelope contains more than one (1) ballot of any
- 40 kind;
- 41 (8) in case of a primary election, if the absentee voter has not
- 42 previously voted, the voter failed to execute the proper
- 43 declaration relative to age and qualifications and the political
- 44 party with which the voter intends to affiliate; or
- 45 (9) the ballot has been challenged and not supported;

46 the ballots shall be rejected.

(b) If the absentee ballot counters are unable to agree on a finding described under this section or section 12 of this chapter, the county election board shall make the finding.

(c) The absentee ballot counters or county election board shall issue a certificate to a voter whose ballot has been rejected under this section if the voter appears in person before the board not later than ~~5 p.m.~~ **one (1) hour before the polls close** on election day. The certificate must state that the voter's absentee ballot has been rejected and that the voter may vote in person under section 21 of this chapter if otherwise qualified to vote.

SECTION 20. IC 3-12-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) At ~~6 p.m.~~ **the time the polls close** on each election day, the county election board shall assemble in a room to canvass the certificates, poll lists, and tally papers returned by each inspector in the county and to declare the results of the election as provided in this chapter.

(b) The canvassing must be performed in public under IC 5-14-1.5. However, the board may restrict access to parts of the room where election material is being handled or transported to safeguard the material.

(c) Except as provided in section 7 of this chapter, the county executive shall provide a room in the courthouse that contains adequate space to permit members of the public to witness the canvassing of votes."

Renumber all SECTIONS consecutively.

(Reference is to ESB 329 as printed April 6, 2001.)

Representative Day